

ORDINANCE NO. 020801-29

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING AND CHANGING THE ZONING MAP FOR A 105.720 ACRE TRACT OF LAND LOCATED AT THE NORTHWEST CORNER OF WEST SLAUGHTER LANE AND BRODIE LANE, GENERALLY KNOWN AS TRACT 108 OF THE STRATUS PROPERTY AT CIRCLE C, FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from interim rural residence (I-RR) district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-02-0040.108, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract 108: A 105.720 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as the property at the northwest corner of West Slaughter Lane and Brodie Lane in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions for each tract:

1. Development of the Property is subject to the regulations of Section 25-2-562 (*Multifamily Residence Medium Density (MF-3) District Regulations*).
2. A building or structure may not be constructed within 100 feet of platted single family lots that are located along the west property line. Improvements permitted within this buffer zone are limited to nature trails, landscaping, detention and water quality re-irrigation facilities, utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

3. The following uses of the Property are prohibited uses:

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|--|----------------------------|
| Automotive sales | Automotive rentals |
| Automotive washing (of any type) | Automotive repair services |
| Service station | Pawn shop services |
| Drop-off recycling collection facility | |

4. The following uses are prohibited uses for a single occupant of any lease space over 36,750 square feet:

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| Bed & breakfast residential (groups 1&2) | Group residential |
| Arts & craft studio (limited) | Business or trade school |
| Business support services | Commercial off-street parking |
| Communications services | Consumer convenience services |
| Exterminating services | Financial services |
| Food sales | Funeral services |
| General retail sales (convenience) | General retail sales (general) |
| Hotel-motel | Indoor entertainment |
| Indoor sports and recreation | Off-site accessory parking |
| Outdoor entertainment | Outdoor sports and recreation |
| Personal improvement services | Personal services |
| Pet services | Plant nursery |
| Restaurant (general) | Restaurant (limited) |
| Restaurant (drive-in, fast food) | Special use historic |
| Theater | Custom manufacturing |
| Club or lodge | College and university facilities |
| Communication service facilities | Community recreation (private) |
| Community recreation (public) | Counseling services |
| Cultural services | Day care services (commercial) |
| Day care services (general) | Day care services (limited) |
| Group home class I (general) | Group home class I (limited) |
| Guidance services | Hospital services (limited) |
| Hospital services (general) | Local utility services |
| Private primary educational facilities | Private secondary education facilities |
| Public primary educational facilities | Public secondary education facilities |
| Religious assembly | Residential treatment |
| Safety services | Telecommunication tower |
| Urban farm | Medical offices (exceeding 5000 sf) |

5. The property shall be developed according to the neighborhood commercial (LR) site development regulations and performance standards of the Code.

Except as specifically restricted under this ordinance, the Property may be used according to the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

PART 3. The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on August 15, 2002.

PASSED AND APPROVED

August 1, 2002

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§

Gustavo L. Garcia

Gustavo L. Garcia
Mayor

APPROVED:

Sedora Jefferson
Sedora Jefferson
City Attorney

ATTEST:

Shirley A. Brown
for Shirley A. Brown
Shirley A. Brown
City Clerk

EXHIBIT "108"

105.7200 Acres
Tract 108
Page 1

EXHIBIT A

Samuel Hamilton Survey No. 16
August 14, 1996
96519.10

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

FIELDNOTE DESCRIPTION of a 105.7200 acre tract out of the Samuel Hamilton Survey No. 16, Travis County, Texas, being a portion of the remainder of that 214.8756 acre tract, described as Tract 3 in a deed to Circle C Land Corp., recorded in Volume 11620, Page 1126 of the Travis County Deed Records; the said 105.7200 acre tract being more particularly described by metes and bounds as follows:

BEGINNING, at a calculated point in the northerly line of the said 214.8756 acre tract, being a point in the southerly line of that 200.00 acre tract conveyed to Jeanette Dawson Carroll, Nancy Dawson Dittmar, Martha Dawson Burks and Diane Dawson Dobie by deed recorded in Volume 2522, Page 442 of the said deed records and the northwest corner of that 4.9448 acre tract conveyed to the City of Austin, Texas by deed recorded in Volume 12694, Page 1223 of the said deed records; from which a 1/2" iron rod found bears N30°29'43"E, 0.29 feet and an iron pipe found in the common line between the 4.9448 acre tract and the said 200.00 acre tract bears S59°37'32"E, 7.85 feet;

THENCE, leaving the southerly line of the 200.00 acre tract, across the said 214.8756 acre tract, along the westerly and southerly lines of the 4.9448 acre tract for the following two (2) courses:

- 1) S30°29'43"W, 498.62 feet to a 1/2" iron rod found for corner;
- 2) S59°30'17"E, 432.67 feet to a 1/2" iron rod found in the westerly right-of-way line of Brodie Lane (100.00 foot right-of-way) for the southeast corner of the aforesaid 4.9448 acre tract, being the southwest corner of that 0.2128 acre tract conveyed to the County of Travis, for right-of-way of Brodie Lane, by deed recorded in Volume 10688, Page 621 of the said deed records and the northwest corner of that 0.3888 acre tract conveyed to the County of Travis, for right-of-way of Brodie Lane, by deed recorded in Volume 10688, Page 641 of the said deed records;

THENCE, S30°13'14"W, leaving the southerly line of the 4.9448 acre tract, along the common line between the said remainder of the 214.8756 acre tract and the westerly right-of-way line of Brodie Lane, being the westerly line of the said 0.3888 acre tract, 1161.02 feet to a 1/2" iron rod set for the northeast corner of that 0.0025 acre tract also conveyed to the County of Travis for right-of-way in Volume 10688, Page 641 of the said deed records;

THENCE, S75°21'51"W, leaving the westerly right-of-way line of Brodie Lane, being the westerly line of the said 0.3888 acre tract, and continuing across the said 214.8756 acre tract, along the northerly line of the said 0.0025 acre tract, 21.24 feet to a 1/2" iron rod set in the northeasterly right-of-way line of Slaughter Lane (120.00 right-of-way) as dedicated by plat in Book 86, Pages 180C and 180D of the Plat Records of Travis County, Texas;

THENCE, leaving the westerly line of the said 0.0025 acre tract, and continuing across the said remainder of the 214.8756 acre tract, along the northeasterly right-of-way line of said Slaughter Lane for the following three (3) courses;

- 1) N59°30'51"W, 777.98 feet to a 1/2" iron rod found for the point of curvature of a non-tangent curve to the right;

- 2) With the said curve to the right having a central angle of $39^{\circ}40'57''$, a radius of 3309.93 feet, a chord distance of 2246.83 feet (chord bears $N39^{\circ}40'23''W$) for an arc distance of 2292.43 feet to a calculated point;
- 3) $N19^{\circ}50'27''W$, at 0.07 feet pass a 1/2" iron rod found 0.13 feet to the right, for a total distance of 1173.48 feet to a 1/2" iron rod found in the westerly line of the said 214.8756 acre tract, being a southerly corner of that 11.295 acre tract (Tract III) conveyed to Milburn Investments, Inc., by deed recorded in Volume 12674, Page 519 of the said deed records;

THENCE, $N29^{\circ}54'01''E$, leaving the northeasterly right-of-way of said Slaughter Lane, along the common line between the 214.8756 acre tract and the said 11.295 acre tract, 148.18 feet to a 1/2" iron rod found for the northwest corner of the aforesaid 214.8756 acre tract, being the southwest corner of that 39.891 acre tract conveyed to Davis Lane, Ltd., by deed recorded in Volume 12391, Page 395 of the said deed records;

THENCE, $S59^{\circ}57'28''E$, leaving the easterly line of the said 11.295 acre tract, along the northerly line of the remainder of the said 214.8756 acre tract, 638.82 feet to a 1/2" iron pipe found for the southeast corner of the 39.891 acre tract, being the southwest corner of the aforesaid 200.00 acre tract;

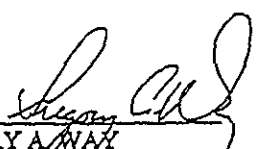
THENCE, leaving the said 39.891 acre tract, along the common line between the said remainder of the 214.8756 acre tract and the 200.00 acre tract for the following four (4) courses:

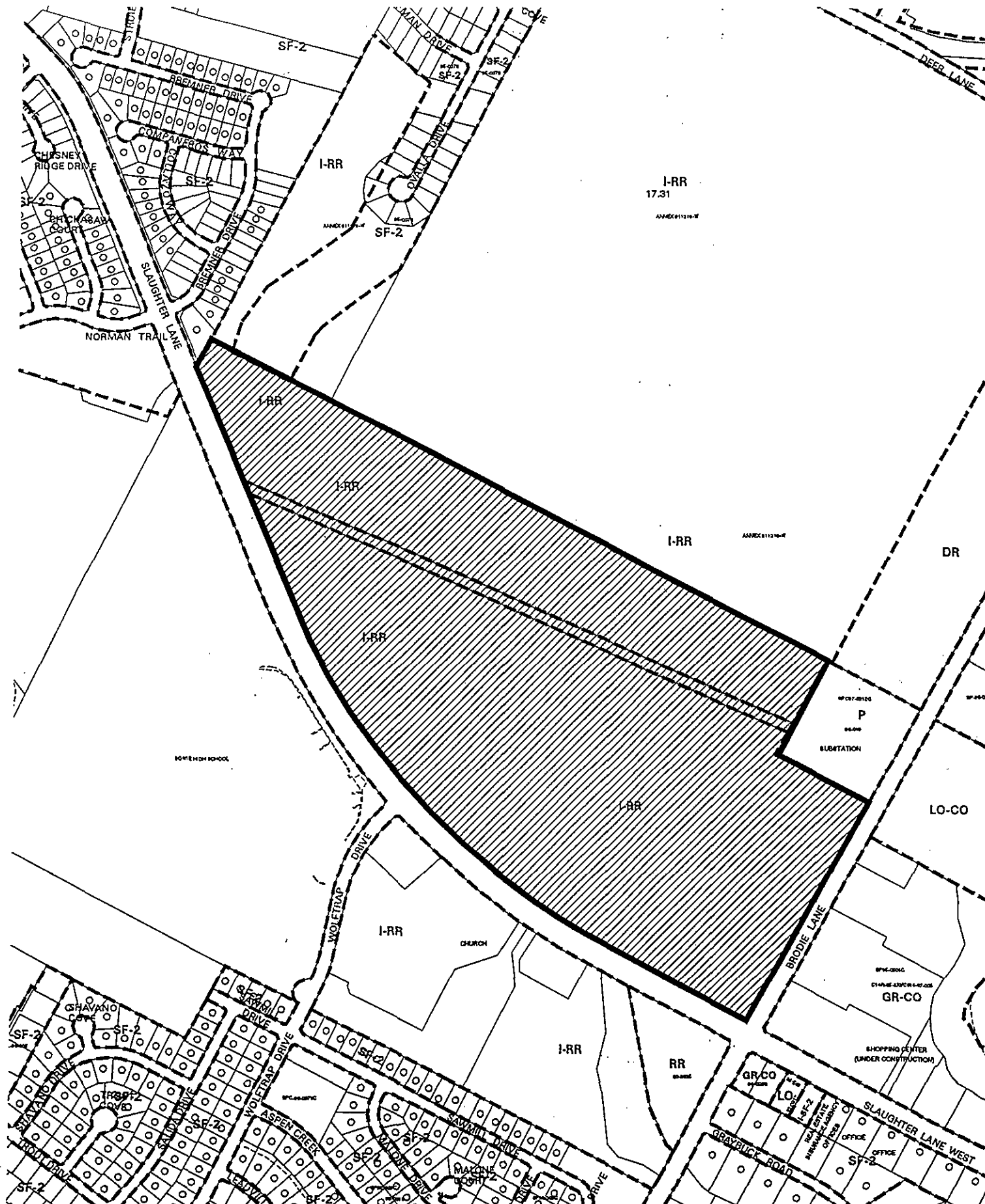
- 1) $S59^{\circ}53'05''E$, 941.21 feet to a 1/2" iron pipe found for corner;
- 2) $S59^{\circ}43'50''E$, 887.14 feet to a 1/2" iron pipe found for corner;
- 3) $S59^{\circ}25'38''E$, 385.47 feet to a 1/2" iron pipe found for corner;
- 4) $S59^{\circ}37'32''E$, 520.86 feet to the PLACE OF BEGINNING, CONTAINING within these metes and bounds 105.7200 acres of land area.




That I, Gregory A. Way, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 14th day of August, 1996.




GREGORY A. WAY
Registered Professional Land Surveyor
No. 4567 - State of Texas



SUBJECT TRACT 
 PENDING CASE 
 ZONING BOUNDARY 
 CASE MGR: G. GUERNSEY

ZONING EXHIBIT B
 CASE #: C14-02-0040.108
 ADDRESS:
 SUBJECT AREA (acres): N/A
 DATE: 02-05
 INTLS: SM

CITY OF
 REFEREN
 NUMBER
 D15